IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 1811 of 2007(N)

PETITIONER:

S.NAZEER KHAN, S/O.SAINULUBDEEN,
KADAPPAVILA VADEKKETHIL, MURNTHAL,
PERINADU P.O., KOLLAM.

BY ADV. SRI.O.V.MANIPRASAD

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, DEPARTMENT OF
CO-OPERATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, KOLLAM.

3. THE MURUNTHAL SERVICE CO-OPERATIVE
BANK LIMITED, PERINADU P.O., KOLLAM,
REPRESENTED BY ITS SECRETARY.

4. V.S.ANIL KUMAR, S/O.SREEDHARAN,
MURUNTHAL, PERINADU P.O., KOLLAM DISTRICT.

BY ADV. SRI.P.N.MOHANAN
BY GOVT.PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN .J

W.P (C) No 1811 of 2007

Dated this the 6th day of March 2007

JUDGMENT

The petitioner is a former committee member of the 3rd respondent Co-operative Bank who resigned from the committee. Now the petitioner wants the Government to dispose of Ext.P5 statutory appeal filed by the 4th respondent against Ext.P1 order passed by the Joint Registrar of Co-operative Societies disqualifying the 4th respondent and some other members of the bank. In so far as the petitioner is not a party to Ext.P5 statutory appeal pending before the Government. I do not think that he can validly seek direction to dispose of Ext.P5 statutory appeal. Further the learned counsel for the 4th respondent brings to my attention the fact that in W.P.(C) No. 3280/2006, the 4th respondent himself had sought a direction to the Government to dispose of the very same Ext.P5 appeal in which this Court had directed that "*till the appeal dated 2-12-2006 preferred before the Government of Kerala is disposed of, no action will be taken against the fourth respondent herein to implement the disqualification order already passed.*" In the above circumstances I am not inclined to grant the prayer of the petitioner to dispose of Ext.P5 appeal expeditiously.

The counsel for the petitioner submits that he has filed application for impleading himself as a party to Ext.P5 appeal. If he has done so it is for him to pursue that petition and move the Government for early disposal of the Ext. P5 appeal if his application for impleading himself in the appeal is allowed . Accordingly the writ petition is dismissed.

S.SIRI JAGAN .JUDGE

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